

***AMENDMENT UNDER 37 C.F.R. § 1.111***  
***U. S. Application No. 09/819,612***

**REMARKS**

Claims 1-19 are all the claims pending in the application, including new claim 19 added by the present Amendment.

In response to the Preliminary Amendment filed March 3, 2004, the Examiner removed the previous claim rejections. The status of the claims is the following.

Claims 1, 2, 7-9 and 16-18 are rejected under 35 U.S.C. § 102(e) as being anticipated by Mayhead et al. (US 6,367,029). Claims 3, 4, 10-12 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Mayhead in view of Makinen et al. (US 5,758,067). Claims 5 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Mayhead in view of Nakamura (US 5,347,463). Claims 13 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mayhead in view of Nguyen et al. (US 6,202,070).

Mayhead relates to a file server system which is tolerant to software and hardware failures and located over a plurality of hardware nodes. The nodes of the system act as hosts for software components of the system, several of which software components can be replicated. The replicable software components include the system file store, a checker and a logger. The replicated components have one primary copy and one or more back-up copies. Replica copies of a given replicated component are each located at different nodes. Location and handling of replica copies of a given replicable component is under the control of a replication manager which is a (non-replicable) distributed software component of the system.

Makinen relates to an automated tape backup system and method for computer systems. The automated tape backup system facilitates the archiving of files from a computer hard disk to a tape for restoration at a later time. A scheduler controls an automated backup mechanism. The

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scheduler uses system status information available from the computer system to determine, among other things, what type of backup is being performed.

Nakamura relates to systems and a method for line production management system for use in production lines which conduct the body during painting of automobiles. The system uses an information code for conveying devices on which an item to be processed is placed has the data of the same item to be processed stored as a set in a memory. The information code inputted into a register undergoes tracking corresponding to the conveyance of the item to be processed. Accordingly, by referring to the identification code in the register and the contents of the memory, it is possible to know the data relating to an item to be processed and the position thereof.

Nguyen relates to a system of software distribution in computer manufacturing which manages and distributes software from release by a software engineering group to installation at a remote manufacturing site or testing facility.

Applicant submits that Mayhead fails to teach or suggest all of the limitations of claim 1. In particular, Mayhead does not disclose the claimed database updating processor for updating the database based on the updating information transferred from the other server. The Examiner refers to the file server system 60 and col. 4, lines 53-58. However, the file server system 60 is the entire system disclosed in Mayhead, not a database updating processor. Moreover, the cited excerpt is silent regarding this feature of the claim. Instead, the excerpt simply refers to a file server system 60 having a replicated system file store with a primary 1 and a back-up 2. Thus, although Mayhead discloses replicating the primary file store 1 with a back-up file store 2, the reference does not disclose updating the database based on information transferred from another

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server. Since all communications of Mayhead occur on an intra server link, this suggests that Mayhead relates to a fundamentally different system that lacks inter server relationships as claimed. To the extent any updates are provided, this appears to be made on a broadcast base and not on a replication trigger and updates. Therefore, claim 1 is not anticipated by Mayhead.

Claims 2 and 16-18 are not anticipated by Mayhead, at least because of their dependence from claim 1.

For claim 7, Applicant submits that claim 7 is not anticipated by Mayhead for reasons analogous to those for claim 1.

Also, claims 8 and 9 are not anticipated by Mayhead, at least because of their dependence from claim 7.

For the rejection over Mayhead in view of Makinen, Applicant submits that claims 3, 4, 10-12 and 14 are allowable over the prior art, at least because of their dependence from claims 1 and 7, respectively, and because Makinen fails to make up for the deficiencies of Mayhead described above.

Regarding the rejection of claims 5 and 6, Applicant submits that these claims are allowable over the Mayhead/Nakamura combination, at least because of their dependence from claim 1 and because Nakamura does not make up for the above-identified deficiencies of Mayhead.

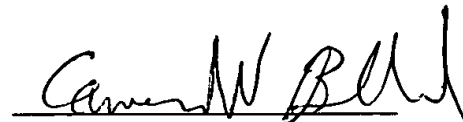
Applicant submits that claims 13 and 15 are allowable over the prior art, at least because of their dependence from claims 1 and 7, respectively, and because Nguyen fails to make up for the deficiencies of Mayhead.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
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